

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension)
of the Educator Certificate of)
Susan R. Sims,)
Certificate 133287)

ORDER OF SUSPENSION

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on December 11, 2007. On November 26, 2003, the South Carolina Department of Education (Department) sent Susan R. Sims a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate due to her having defaulted on her obligation to the State of South Carolina to repay funds loaned to her to pay for the costs of applying for National Board Certification. The notice was sent to Ms. Sims via regular and certified mail, return receipt requested, delivery restricted to the addressee. Upon receipt of the notice, Ms. Sims informed the Department that she was unable to fulfill her obligation to the State of South Carolina but did not request a hearing within the time frame specified in the notice. After considering the information presented by the Department, the State Board voted to suspend Ms. Sims's certificate until she repays the full amount owed on her outstanding loan with the State of South Carolina obtained through the Center for Teacher Education, Recruitment, Retention and Advancement (CERRA).

FINDINGS OF FACT

Ms. Sims holds a valid South Carolina educator certificate and has over twenty-two years of teaching experience. On October 6, 2000, Ms. Sims signed a promissory note with the State of South Carolina to obtain a loan in the amount of \$2300 to pay for the costs of applying for certification from the National Board for Professional Teaching Standards (NBPTS). One of the terms of that promissory note was that the loan recipient would be obligated to repay the entire loan amount if she did not formally withdraw from the process of obtaining NBPTS certification and did not complete any portfolio or assessment center entries. Under this term of the agreement, Ms. Sims is now obligated to repay the \$2300. CERRA and the Department sent several letters to Ms. Sims informing her that the \$2300 was now due and of the consequences for failing to repay the amount due. After receiving notice of the possible suspension of her educator certificate, Ms. Sims informed the Department by letter dated February 5, 2004, that she was unable to fulfill her obligation to the State of South Carolina but did not request a hearing. On February 22, 2007, after Ms. Sims submitted a second application for the National Board Certification Loan Program, CERRA informed Ms. Sims that she was in default of her loan obtained in 2000. Ms. Sims again asked the Department to forgive her loan. On April 17, 2007, the Department once again informed Ms. Sims that she is obligated to abide by the terms of the signed loan agreement. On July 3, 2007, the Department's Office of Finance contacted Ms. Sims and offered to her a repayment agreement. Ms. Sims agreed to have a repayment agreement sent to her. The loan repayment agreement was mailed to Ms. Sims on July 6, 2007. Ms. Sims failed to

execute the repayment agreement and failed to submit any payments under the terms of the repayment agreement. On September 14, 2007, the Department's Office of General Counsel mailed to Ms. Sims a second repayment agreement via regular and certified mail, return receipt requested, delivery restricted to the addressee. Ms. Sims received the second repayment agreement as evidenced by a signed postal receipt. Ms. Sims failed to execute the second repayment agreement and failed to submit any payments under the terms of the repayment agreement. Ms. Sims has not repaid the \$2300 that is now due.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). The State Board finds that there is sufficient information to support its decision to suspend Susan R. Sims's educator certificate from the date of this Order until she has satisfied her financial obligation to the State of South Carolina, as established in the promissory note referenced above. Upon full payment of the balance due, if Ms. Sims wishes to have her certificate reinstated, she may make a written request for reinstatement to the Department's Office of Educator Certification.

South Carolina State Board of Education

By: 
John E. Tincal, Chair

Columbia, South Carolina
December 11, 2007